

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing PCB: Civil Justice Subcommittee
2 Representative Metz offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 71-197 and insert:

6 Section 3. Section 25.231, Florida Statutes, is repealed.

7 Section 4. Subsection (1) of section 25.241, Florida
8 Statutes, is repealed.

9 Section 5. Section 25.281, Florida Statutes, is repealed.

10 Section 6. Section 25.351, Florida Statutes, is repealed.

11 Section 7. Section 26.01, Florida Statutes, is repealed.

12 Section 8. Section 26.021, Florida Statutes, is amended to
13 read:

14 26.021 Judicial circuits; judges.—The state is divided
15 into 20 judicial circuits:

16 (1) The first circuit is composed of Escambia, Okaloosa,
17 Santa Rosa, and Walton Counties.

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18 (2) The second circuit is composed of Leon, Gadsden,
19 Jefferson, Wakulla, Liberty, and Franklin Counties.

20 (3) The third circuit is composed of Columbia, Dixie,
21 Hamilton, Lafayette, Madison, Suwannee, and Taylor Counties.

22 (4) The fourth circuit is composed of Clay, Duval, and
23 Nassau Counties.

24 (5) The fifth circuit is composed of Citrus, Hernando,
25 Lake, Marion, and Sumter Counties. ~~Two of the circuit judges~~
26 ~~authorized for the fifth circuit shall reside in either Citrus,~~
27 ~~Hernando, or Sumter County, and neither of such two judges shall~~
28 ~~reside in the same county.~~

29 (6) The sixth circuit is composed of Pasco and Pinellas
30 Counties.

31 (7) The seventh circuit is composed of Flagler, Putnam,
32 St. Johns, and Volusia Counties. ~~One judge shall reside in~~
33 ~~Flagler County; two judges shall reside in Putnam County; two~~
34 ~~judges shall reside in St. Johns County; and three judges shall~~
35 ~~reside in Volusia County. There shall be no residency~~
36 ~~requirement for any other judges in the circuit.~~

37 (8) The eighth circuit is composed of Alachua, Baker,
38 Bradford, Gilchrist, Levy, and Union Counties.

39 (9) The ninth circuit is composed of Orange and Osceola
40 Counties.

41 (10) The tenth circuit is composed of Hardee, Highlands,
42 and Polk Counties.

43 (11) The eleventh circuit is composed of Miami-Dade

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44 County.

45 (12) The twelfth circuit is composed of Manatee, Sarasota,
46 and DeSoto Counties.

47 (13) The thirteenth circuit is composed of Hillsborough
48 County.

49 (14) The fourteenth circuit is composed of Bay, Calhoun,
50 Gulf, Holmes, Jackson, and Washington Counties.

51 (15) The fifteenth circuit is composed of Palm Beach
52 County.

53 (16) The sixteenth circuit is composed of Monroe County.
54 ~~One judge in the circuit shall reside in the middle or upper~~
55 ~~Keys. There shall be no residency requirement for any other~~
56 ~~judge in the circuit.~~

57 (17) The seventeenth circuit is composed of Broward
58 County.

59 (18) The eighteenth circuit is composed of Brevard and
60 Seminole Counties.

61 (19) The nineteenth circuit is composed of Indian River,
62 Martin, Okeechobee, and St. Lucie Counties.

63 (20) The twentieth circuit is composed of Charlotte,
64 Collier, Glades, Hendry, and Lee Counties.

65 (21) Notwithstanding subsections (1)-(20), the territorial
66 jurisdiction of a circuit court may be expanded as provided for
67 in s. 910.03(3).

68

69 The judicial nominating commission of each circuit, in

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70 submitting nominations for any vacancy in a judgeship, and the
71 Governor, in filling any vacancy for a judgeship, shall consider
72 whether the existing judges within the circuit, together with
73 potential nominees or appointees, reflect the geographic
74 distribution of the population within the circuit, the
75 geographic distribution of the caseload within the circuit, the
76 racial and ethnic diversity of the population within the
77 circuit, and the geographic distribution of the racial and
78 ethnic minority population within the circuit.

79 Section 9. Section 26.51, Florida Statutes, is repealed.

80 Section 10. Section 26.55, Florida Statutes, is amended to
81 read:

82 26.55 Conference of Circuit Judges of Florida; duties and
83 reports.—

84 (1) There is ~~created and~~ established the Conference of
85 Circuit Judges of Florida. The conference shall consist of the
86 active and retired circuit judges of the several judicial
87 circuits of the state, excluding retired judges practicing law.

88 (2) The conference shall annually elect a chair, whose
89 duty it shall be to call all meetings and to appoint committees
90 to effectuate the purposes of the conference. ~~It is declared to~~
91 ~~be an official function of each circuit judge to attend the~~
92 ~~meetings of the conference. It is also an official function of~~
93 ~~each circuit judge to participate in the activity of each~~
94 ~~committee to the membership of which such judge is appointed.~~

95 (3) ~~(a)~~ It is declared to be the responsibility of the

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96 conference to operate according to the Rules of Judicial
97 Administration of the Florida Supreme Court, which includes:

98 (a)1. Consider and make recommendations concerning the
99 betterment of the judicial system of the state and its various
100 parts;

101 (b)2. Consider and make recommendations concerning the
102 improvement of rules and methods of procedure and practice in
103 the several courts; ~~and~~

104 (c)3. Report to the Supreme Court such findings and
105 recommendations as the conference may have with reference
106 thereto; ~~and.~~

107 ~~(d)(b) Provide Not less than 60 days before the convening~~
108 ~~of the regular session of the Legislature with, the chair of the~~
109 ~~conference shall report to the President of the Senate and the~~
110 ~~Speaker of the House~~ such recommendations as the conference may
111 have concerning defects in the laws of this state and such
112 amendments or additional legislation as the conference may deem
113 necessary regarding the administration of justice.

114 Section 11. Section 27.50, Florida Statutes, is repealed.

115 Section 12. Section 27.55, Florida Statutes, is repealed.

116 Section 13. Section 29.23, Florida Statutes, is created to
117 read:

118 29.23 Salaries of certain positions in the judicial
119 branch.-

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120 (1) The salaries of justices, judges of the district courts
121 of appeal, circuit judges and county judges shall be fixed
122 annually in the General Appropriations Act.

123 (2) The clerk and marshal of the Supreme Court or a clerk
124 or a marshal of a district court of appeal shall be paid an
125 annual salary to be determined in accordance with s. 25.382.

126 Section 14. Section 35.12, Florida Statutes, is repealed.

127 Section 15. Section 35.13, Florida Statutes, is repealed.

128 Section 16. Section 35.19, Florida Statutes, is repealed.

129 Section 17. Section 35.21, Florida Statutes, is repealed.

130 Section 18. Subsection (1) of section 35.22, Florida
131 Statutes, is repealed.

132 Section 19. Section 35.25, Florida Statutes, is repealed.

133 Section 20. Section 35.27, Florida Statutes, is repealed.

134 Section 21. Section 38.13, Florida Statutes, is repealed.

135 Section 22. Subsection (2) of section 43.20, Florida
136 Statutes, is amended to read:

137 43.20 Judicial Qualifications Commission.—

138 (2) MEMBERSHIP; TERMS.—The commission shall consist of 15
139 ~~13~~ members. The members of the commission shall serve for terms
140 of 6 years.

141 Section 23. Section 57.101, Florida Statutes, is repealed.

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146 **T I T L E A M E N D M E N T**

147 Remove lines 6-62 and insert:

148 of the Supreme Court; repealing s. 25.231, F.S.; repealing a

149 requirement that the Clerk perform duties as directed by the

150 Court; amending s. 25.241, F.S.; repealing a requirement

151 regarding the salary of the Clerk of the Supreme Court;

152 repealing s. 25.281, F.S.; repealing a provision regarding

153 compensation of the Marshal of the Supreme Court; repealing s.

154 25.351, F.S.; repealing a requirement regarding the manner in

155 which books for the Supreme Court library may be acquired;

156 repealing s. 26.01, F.S.; repealing statute stating the number

157 of judicial circuits; amending s. 26.021, F.S.; setting the

158 number of judicial circuits; repealing certain residency

159 requirements related to judicial circuits; repealing s. 26.51,

160 F.S.; repealing requirement to pay circuit judge salaries

161 monthly; amending s. 26.55, F.S.; excluding retired judges

162 practicing law from the Conference of Circuit Judges; removing a

163 requirement that circuit court judges attend such Conference;

164 removing a requirement that circuit court judges participate in

165 committee activities of the Conference; removing a requirement

166 that the Conference operate according to the Rules of Judicial

167 Administration; repealing s. 27.50, F.S.; repealing a statutory

168 provision regarding the qualifications of a public defender;

169 repealing s. 27.55, F.S.; repealing provision regarding the

170 compensation of the public defender and expenditures for office

171 in a newly created circuit; creating s. 29.23, F.S.; providing

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172 for certain judicial branch salaries; repealing s. 35.12, F.S.;

173 repealing a statutory provision that a chief judge be selected

174 in each district court of appeal; repealing s. 35.13, F.S.;

175 repealing a statutory provision that three judges consider every

176 case on appeal; repealing s. 35.19, F.S.; repealing a statutory

177 provision that the compensation of district judges be provided

178 by law; repealing s. 35.21, F.S.; repealing a statutory

179 provision that each district court of appeal appoint a clerk;

180 amending s. 35.22, F.S.; repealing provision regarding salaries

181 of a district court of appeal clerk; repealing s. 35.25, F.S.;

182 repealing a requirement that the clerk of a district court of

183 appeal perform duties as prescribed by the rules of court;

184 repealing s. 35.27, F.S.; repealing a statutory provision

185 regarding the compensation of a district court of appeal marshal

186 by law; repealing s. 38.13, F.S.; repealing a provision

187 regarding replacement of disqualified judges; amending s. 43.20,

188 F.S.; changing number of persons on the Judicial Qualifications

189 Commission to conform to the state constitution; repealing s.

190 57.101, F.S.; repealing a provision that certain costs of the

191 record and copies in the Supreme Court are not taxed against the

192 losing party;

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